

1 **ENGROSSED**

2 COMMITTEE SUBSTITUTE

3 FOR

4 **H. B. 2233**

5 (By Delegates Walters, Sobonya, Rohrbach, Ambler, Mr. Speaker
6 (Mr. Armstead), Storch, H. White, R. Phillips, Ireland, Hanshaw
7 and E. Nelson)

8
9 (Originating in the House Committee on Judiciary)

10 [February 25, 2015]

11 A BILL to amend and reenact §29A-3-16 of the Code of West Virginia, 1931, as amended, relating
12 to requiring the Legislative Rule-Making Committee with the assistance of the Legislative
13 Auditor's Office to review each interpretive, procedural and legislative rule promulgated in
14 or after 2015 within at least five years from its effective date, and make recommendations
15 to the Legislature for modification or repeal of any such rule; and requiring submission of
16 summary of findings and recommendations to the Joint Committee on Government and
17 Finance.

18 *Be it enacted by the Legislature of West Virginia:*

19 That §29A-3-16 of the Code of West Virginia, 1931, as amended, be amended and reenacted
20 to read as follows:

21 **ARTICLE 3. RULE-MAKING.**

22 **§29A-3-16. Legislative review of procedural rules, interpretive legislative rules.**

23 (a) The Legislative Rule-Making Review Committee may review any procedural rules,
24 interpretive rules or existing legislative rules and may make recommendations concerning such rules

1 to the Legislature, ~~or~~ to the agency or to both the Legislature and the agency.

2 (b) The Legislative Rule-Making Committee with the assistance of the Legislative Auditor
3 shall review any rule promulgated in or after 2015 within at least five years from its effective date,
4 and make recommendations to the Legislature for modification or repeal of any such rule as the
5 Legislative Rule-Making Committee may determine to be necessary. Areas of review shall include,
6 but not be limited to, the following:

7 (1) Whether the rule is achieving its purpose; and

8 (2) Whether the rule should be eliminated, continued or amended.

9 (c) Following the review, the Legislative Rule-Making Committee and the Legislative
10 Auditor shall submit to the Joint Committee on Government and Finance a summary of their
11 findings and recommendations.